

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FRANCIS VINCENT GADZIK,

Plaintiff,

v.

DOLLAR THRIFTY AUTOMOTIVE GROUP
and DOLLAR THRIFTY GROUP¹,

Defendants.

ORDER

09-cv-434-bbc

In an order entered in this case on July 31, 2009, I stayed a decision on plaintiff's request for leave to proceed in forma pauperis because he had not provided sufficient information for me to determine whether he qualifies for indigent status. Now, however, plaintiff has paid the \$350 fee for filing his complaint. It is unnecessary for him to provide additional information in support of his affidavit of indigency.

The next step is for plaintiff to serve his complaint on the defendants. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the

¹Plaintiff Francis Gadzik named Dollar Thrifty Group in his complaint; the defendant was left out of the caption in the court's previous order inadvertently. The caption has been amended to reflect the defendants named in plaintiff's complaint.

defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendants well before the deadline for doing so established in Rule 4. To help plaintiff understand the procedure for serving his complaint, I am enclosing with this order a copy of a document titled "Procedure for Serving a Complaint on a Corporation, Partnership or Unincorporated Association in a Federal Lawsuit." In addition, I am enclosing to plaintiff an extra copy of his complaint and forms he will need to send to the defendants in accordance with the procedures set out in Option 1 of the memorandum.

ORDER

IT IS ORDERED that plaintiff promptly serve his complaint on the defendants and file proof of service of his complaint as soon as service has been accomplished. If, by October 14, 2009, plaintiff fails to submit proof of service of his complaint on the defendants or explain his inability to do so, I will direct plaintiff to show cause why his case

should not be dismissed for lack of prosecution.

Entered this 20th day of August, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge